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Group Art Unit: 3634  
Docket No.: 221P130US01

Remarks

Claims 1-21 are pending in the application, and the Examiner has rejected claims 1-21.

Claims 1-4 and 14 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

With regard to claim 1, the Examiner stated that Applicant failed to recite structural relationships between the connections and a harness. Claim 1 has been amended to recite the structural relationships between the connections and the harness. The internal connection of the safety harness connects the straps of the safety harness, and the connecting member of the external connection portion of the safety harness is connectable to the connecting element of the connecting device thereby creating the external connection between the safety harness and the connecting device. It is respectfully requested that this rejection be withdrawn.

With regard to claim 1, line 11, the Examiner stated that Applicant has positively recited the combination of the harness and "the connecting element indicator", an element that does not appear to be a part of the require invention. Claim 1 has been amended to recite an external connection portion connectable to the connecting element of the connecting device thereby creating an external connection between the safety harness and the connecting device. It is respectfully requested that this rejection be withdrawn.

With regard to claim 14, the claim was dependent upon itself. Claim 14 has been amended to be dependent upon claim 13. It is respectfully requested that this rejection be withdrawn.

Claims 1-21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,203,829 to Fisk et al. in view of U.S. Patent 4,913,136 to Chong et al.

Fisk et al. discloses a safety harness having a shoulder strap, a waist strap, and a seat strap. As disclosed in column 4, lines 49-55, "For the purpose of identifying the various straps when donning the safety harness 10, it is preferred that shoulder strap 12 and waist strap 14 be made of yellow polyester webbing, while seat strap 16 be made of black webbing, although any contrasting colors permitting easy identification of the various straps is sufficient." In other

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words, the contrasting colors of the straps of the safety harness assist in identifying which straps should be positioned where when putting on the safety harness. More specifically, the yellow straps should be placed proximate the torso and the arms and the black straps should be placed proximate the hips and the legs. However, once the straps are positioned correctly on the user's body, there is no indication which strap portions should be matched and connected with which mating strap portions to connect and don the safety harness. Fisk et al. also discloses D-rings operatively connected to the safety harness for work positioning and fall protection, however, Fisk et al. neither teaches nor suggests what types of devices should be connected to which of the D-rings for proper use of the D-rings. Fisk et al. neither teaches nor suggests internal or external connections being coded to indicate what is interconnected to create the respective connection of the safety harness.

Chong et al. discloses a harness for the treatment of congenital hip dislocation in infants. As disclosed in column 3, lines 14-20, "Color coding is used so that the anterior strap of each leg 4 is attached approximately to the anterior buckle or D-ring 10 (if VELCRO is used) of the corresponding bootie, and the posterior leg strap 5 is also thus appropriately attached to the posterior buckle or D-ring 11. The color coding could be on the buckle or strap or any variation thereof." The color coding provides guidance during application of the harness because if incorrectly connected, treatment may be frustrated or cause damage to the child's hips. Chong et al. neither teaches nor suggests the external connection of connecting devices to the harness.

There is no motivation to combine the safety harness of Fisk et al. with the harness for treating congenital hip dislocation in infants of Chong et al. One skilled in the art of fall arrest and fall protection equipment such as safety harnesses would not look to a harness for treating congenital hip dislocation in infants. Fall arrest and fall protection equipment must meet specific safety standards such as OSHA, and harnesses for treating congenital hip dislocation are not used for fall arrest and fall protection purposes and do not have to meet specific safety standards such as OSHA. Therefore, there is no motivation to combine these references.

Further, a harness for treating congenital hip dislocation is non-analogous art to a safety harness for fall arrest and fall protection purposes. As stated in column 1, lines 36-40 of Chong

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et al., the purpose of a harness for treating congenital hip dislocation is to allow for controlled motion of the hips during the course of treatment thus allowing for more normal cartilage nutrition and growth. Such harnesses are not suitable for fall arrest or fall protection purposes. Again, one skilled in the art of fall arrest and fall protection equipment would not look to infant harnesses.

Even if Fisk et al. and Chong et al. were combined, the claimed subject matter would not result. Claims 1-21 recite a safety harness having an internal connection and an external connection, each connection being coded to indicate what is interconnected to create the respective connection. Neither Fisk et al. nor Chong et al. teach or suggest a safety harness having a coded internal connection and a coded external connection as recited in claims 1-21. At most, Fisk et al. discloses colored straps for ease in putting on a safety harness and D-rings for work positioning and fall protection. Fisk et al. neither teaches nor suggests coding the buckles for connecting the straps of the safety harness or coding the D-rings for connecting devices to the D-rings for proper use of the safety harness and the D-rings. Fisk et al. does not disclose coding the D-rings to indicate which devices are properly connected to which D-rings. At most, Chong et al. discloses internal connections. Chong et al. neither teaches nor suggests any external connections to the harness. Neither Fisk et al. nor Chong et al. teaches or suggests coded external connections. Therefore, claims 1-21 are not obvious in view of these cited references.

If a safety harness is improperly connected, either internally or externally, serious injury or even death could result should a fall occur. For example, as disclosed on page 14 in Table 1 of the specification, a self-retracting lifeline should be connected to a dorsal D-ring for fall arrest purposes. Connecting the self-retracting lifeline to any of the other D-rings on the safety harness is improper. Neither Fisk et al. nor Chong et al. teach or suggest coding both internal and external connections to assist in properly connecting the straps of the safety harness and the connecting devices to the safety harness to reduce the risk of serious injury or even death should a fall occur.

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Favorable consideration of this Amendment is respectfully requested. Should the Examiner like to discuss this Amendment, the Examiner is welcome to contact the under-signed representative for the Applicant.

Respectfully submitted,

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